

AN ACT

relating to responsibility for public school textbooks and technological equipment and to failure by students to return textbooks or technological equipment.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 31.104(d), Education Code, is amended to read as follows:

(d) Each student, or the student's parent or guardian, is responsible for each textbook, including an electronic textbook, and all technological equipment not returned in an acceptable condition by the student. A student who fails to return in an acceptable condition all textbooks, including electronic textbooks, and technological equipment forfeits the right to free textbooks, including electronic textbooks, and technological equipment until each textbook, including an electronic textbook, and all technological equipment previously issued but not returned in an acceptable condition is paid for by the student, parent, or guardian. As provided by policy of the board of trustees or governing body, a school district or open-enrollment charter school may waive or reduce the payment requirement if the student is from a low-income family. The district or school shall allow the student to use textbooks, including electronic textbooks, and technological equipment at school during each school day. If a textbook, including an electronic textbook, or technological

1 equipment is not returned in an acceptable condition or paid for,
2 the district or school may withhold the student's records. A
3 district or school may not, under this subsection, prevent a
4 student from graduating, participating in a graduation ceremony, or
5 receiving a diploma. The commissioner by rule shall adopt criteria
6 for determining whether a textbook, including an electronic
7 textbook, and technological equipment are returned in an acceptable
8 condition.

9 SECTION 2. This Act applies beginning with the 2009-2010
10 school year.

11 SECTION 3. This Act takes effect immediately if it receives
12 a vote of two-thirds of all the members elected to each house, as
13 provided by Section 39, Article III, Texas Constitution. If this
14 Act does not receive the vote necessary for immediate effect, this
15 Act takes effect September 1, 2009.

President of the Senate

Speaker of the House

I certify that H.B. No. 1332 was passed by the House on April 2, 2009, by the following vote: Yeas 145, Nays 0, 1 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 1332 was passed by the Senate on May 21, 2009, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor